

WHITPAIN TOWNSHIP PLANNING COMMISSION MARCH 2021

A work session of the Whitpain Township Planning Commission was held on Tuesday, March 9, 2021 at 6:30 PM as a video conference using *Zoom* video technology for the purpose of reviewing the agenda of the public meeting to be held that evening. Chair Kenneth Corti presided with Planning Commission members Vice Chair Richard Shorin, Secretary Cathy McGowan, Joe Habboush, John O'Hara, Joseph Fay, Kent Conway and Alternate members Kurt Zintner, John Miller and Natalie Macy. Township Engineer James E. Blanch, P.E., Assistant Zoning Inspector Conor McCann, Township Planning Consultant E. Van Rieker, IT Director Nicole Leininger and Recording Secretary Courtney Clemmer were also present.

1. Approval of the minutes

There were no comments or questions on the February meeting minutes.

2. Review of a Land Development Plan (for Final Approval only) for 1950 Skippack Pike (LD-2-20). This application involves the construction of a 101,913 square ft. self-storage facility on a lot of approximately 3.27 acres of property located at 1950 Skippack Pike, which is located on the southern side of Skippack Pike between North Wales Road and Ashford Lane. Access to the land development is proposed from a new driveway located off of Skippack Pike. The property is zoned R-1/R-2 Residential Zoning District.

Vice Chair Shorin commended the Applicant for complying with all review comments from Township Staff and Consultants.

Chair Corti questioned if the relocation of the fire hydrant noted in Fire Marshal, Dave Camarda's review letter, would conflict with the train tracks. Mr. Blanch noted that the hydrant would have to stay outside of the right-of-way of the rail line. Chair Corti asked if emergency apparatus would foul the tracks if that hydrant was needed for use. Mr. Blanch said he would discuss the concern with Dave Camarda.

Vice Chair Shorin asked how hazardous materials that are not permitted will be monitored and enforced. Mr. Blanch said that the owner of the facility will be responsible for enforcement and that the agreement will state all prohibitions. Mr. Blanch also noted that the Fire Marshal conducts periodic facility checks, however he will not check individual storage units, reiterating that the facility owner will be responsible for enforcing all prohibitions.

Secretary McGowan asked if this will be the last time that this application will be presented to the Planning Commission. Mr. Blanch said yes and explained that the Applicant sought preliminary approval prior to seeking final land development approval. Mr. Blanch said that at the final approval phase the Applicant is required to have all agreements in place and post financial security with the Township.

Mr. Blanch said that the Applicant is working on obtaining the Planning Module, which is the requirement for sewage service to the facility, and the National Pollutant Discharge

Elimination System (NPDES) permit. Chair Corti asked if the Board of Supervisors must wait until these permits are obtained before voting on approval. Mr. Blanch said that the Board of Supervisors will likely provide a conditional approval, which means the approval is conditioned upon the Applicant complying with all Township Staff and Consultant review comments and the attainment of all appropriate permits.

3. Review current Zoning Hearing Board cases:

- a. NO. 2271-21 RICHARD A. SUTANTO AND PUIYAN LAM request variances from Article VII, Section 160-34 relating to Side Yards for One Family Detached Dwellings and Article XXVII, Section 160-203 relating to Residential Projections into Side Yards with respect to the residence located on their property at 1566 Muhlenburg Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 20' by 28' first floor addition which will reduce the side yard set-back to 24'9" when the Ordinance requires a minimum of 25 feet and will reduce the aggregate side yard width to 49'9" when the Ordinance requires a minimum of 60 feet.

Vice Chair Shorin recommended the addition of shrubbery along the side of the addition.

Chair Corti noted that the application appears benign.

- b. NO. 2272-21 JOSEPH AND THERESA DOWD request variances from Article VII, Section 160-32 relating to Front Yards and Article XXIX, Section 160-225.B relating to Extension of Non-Conforming Use with respect to the residence located on their property at 701 W. Butler Ave., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 3'9" by 18'4 1/2" first floor addition and a 15'8" by 18'4 1/2" second floor addition onto their residence which will decrease the front yard depth to less than 50 feet when the Ordinance prohibits same and will allow the expansion of an existing non-conforming use above the first floor level which exceeds the yard setbacks in the R-2 zoning district when the Ordinance prohibits same.

Vice Chair Shorin recused himself from the discussion for this application.

Secretary McGowan questioned if some of the house already projects out and the Applicant is proposing to build up. Mr. Blanch confirmed that the proposed addition does not project past the existing walls of the house, but it is within the front yard setback that requires the variance.

Mr. Rieker commended the Applicant for an excellent application and clear exhibits.

- c. NO. 2273-21 JOHN A. AND TIFFANY L. BATTLES request a variance from Article XII, Section 160-32 relating to Front Yards and a special exception pursuant to Article XII, Section 160-33 relating to Front Yards on Corner with respect to the residence

located at 1566 Thayer Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 24' by 28' two car attached garage that will decrease the depth of the front yard to less than 50 feet when the Ordinance permits same only by the grant of a special exception by the Zoning Hearing Board.

Mr. Conway questioned if the Applicant would be required to install a stormwater management system due to the increase in impervious surface. Mr. Blanch said that the Engineering Department performed a review of the application and determined that the proposed improvements do not meet the threshold required to do stormwater management. Mr. Blanch clarified that there will be an addition of 336 square feet of impervious surface.

- d. NO. 2274-21 MOO PROPERTIES, LLC requests an amendment of Whitpain Township Zoning Hearing Board Decision No. 1761-07, section G, with respect to its property located at 1533 Skippack Pike, Blue Bell, PA in the Township's R-1/R-2 Residential District. Applicant's requested relief, if granted, will permit the Applicant to install a driveway through the berm along Whitney Drive which will decrease the continuous visual barrier between the subject property and Whitney Drive that the prior zoning decision obligated Applicant to maintain.

Vice Chair Shorin explained that this Property Owner has attended multiple Planning Committee meetings with proposals for the development of the property, including a townhouse community. He further explained that this current application includes the construction of two single family dwellings. Mr. Blanch clarified that the Applicant is only proposing one building lot to include one single family dwelling. Mr. Blanch said that the Planning Commission was forwarded a document with comments from the adjacent residents on Whitney Drive. Their concern is surrounding the removal of the berm because it was ruled that the berm must remain on the property as long as the existing structure is there. Mr. Blanch said that the plan that was submitted as part of the Zoning Hearing Board application does not specify where the berm would be cut or how much would be removed. Mr. Blanch explained that the residents are also concerned with where a new visual buffer would be installed including fencing and landscaping and finally, would the Applicant require additional access off of Skippack Pike. Mr. Blanch agreed that without confirmation on driveway locations, it is unclear how the site will be utilized. Based off of the submitted plans, Mr. Blanch said that the Applicant is currently proposing one single family dwelling and the removal of half of the existing building.

Secretary McGowan asked if there will be two lots. Mr. Blanch said there will be two lots and that the Applicant is proposing to keep the existing two-story building on Lot 1.

Mr. Rieker asked if the Applicant will be required to share the uses for the existing building and questioned the driveway location. Mr. Rieker agreed there should be more information provided by the Applicant before a decision is rendered.

Chair Corti asked if there are any floodplain concerns. Mr. Blanch said no, there is no floodplain on the parcel.

Vice Chair Shorin recommended that if the Applicant were to propose an access drive off of Whitney Drive, they carefully consider the location, so headlights do not shine into existing homes.

4. Review pertinent planning issues.

Mr. Rieker recommended the consideration of Center Square Commons, or another recent development in Whitpain Township, to be nominated for a 2021 Montgomery County Planning Commission award. Chair Corti asked if the Township or the Property Owner has to submit the application. Mr. Rieker said that the Property Owner would submit the application, but it is incredible valuable if the Township supports the project. Chair Corti recommended the consideration of *AVE Blue Bell* for the award.

Mr. Blanch reminded the Planning Commission and audience members that a portion of Morris Road in front of Normandy Farms will be closed starting on March 15th for five days for storm pipe installation. Approximately a month later, PennDOT will close Morris Road again for three weeks to build half of the intersection of Morris Road and DeKalb Pike. Mr. Blanch said that the new intersection will be constructed (paved) in concrete. Mr. Blanch said that there will be posted detour routes. He also shared that the Township is looking at the function and timing of traffic signals in the area to help efficiency.

The work session adjourned at 7:00 PM.

Respectfully submitted,

Courtney M. Clemmer, Recording Secretary

WHITPAIN TOWNSHIP PLANNING COMMISSION MARCH 2021

The third meeting of the Whitpain Township Planning Commission for the year 2021 was held on Tuesday, March 9, 2021 as a video conference using *Zoom* video technology. Chair Kenneth Corti presided with Planning Commission members Vice Chair Richard Shorin, Secretary Cathy McGowan, Joe Habboush, Kent Conway, John O'Hara, Joseph Fay and Alternate members Kurt Zintner, John Miller and Natalie Macy. Township Planning Consultant E. Van Rieker, Township Engineer James E. Blanch, P.E., Assistant Zoning Inspector Conor McCann, IT Director Nicole Leininger and Recording Secretary Courtney Clemmer were also present.

Chair Corti called the meeting to order at 7:00 PM. Chair Corti introduced the members of the Planning Commission and Township Staff introduced themselves to the public that were present.

IT Director, Nicole Leininger, explained how to use the *Zoom* technology for the meeting.

1. Approval of Minutes

Chair Corti called for any comments or questions on the February 9, 2021 meeting minutes from the Planning Commission, Township Staff or the audience. There being none, Vice Chair Shorin made a motion, seconded by Mr. O'Hara to approve the minutes of the February 9, 2021 meeting of the Planning Commission. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Secretary McGowan, aye; Mr. Habboush, aye; Mr. Conway, aye; Mr. O'Hara, aye; Mr. Fay, aye; and Chair Corti also voted to pass this motion. The motion passed 7-0.

2. Review of a Land Development Plan (for Final Approval only) for 1950 Skippack Pike (LD-2-20). This application involves the construction of a 101,913 square ft. self-storage facility on a lot of approximately 3.27 acres of property located at 1950 Skippack Pike, which is located on the southern side of Skippack Pike between North Wales Road and Ashford Lane. Access to the land development is proposed from a new driveway located off of Skippack Pike. The property is zoned R-1/R-2 Residential Zoning District.

Present for Application: Robert E. Blue, Engineer
Daniel Glass, Engineer

Mr. Blue reminded the Planning Commission members that the application has already received its' preliminary approval and is now seeking final approval. Mr. Blue said that he has been working with the Township Planning Consultant on landscaping requirements and explained they have added landscaping onsite and an offsite sanitary sewer easement. He also noted that they have received their PennDOT Highway Occupancy Permit and their NPDES permit and Planning Module are pending. Mr. Blue said they will comply with all Township staff and consultant review comments.

Chair Corti asked if there will be enough room to allow for large emergency vehicles with the relocation of the fire hydrant, mentioned in the work session. Mr. Blue said that they would work directly with the Fire Marshal to ensure safety and compliance.

Vice Chair Shorin thanked the Applicant for being so responsive to all recommendations to this point. Vice Chair Shorin asked how the facility owner will ensure that no tenant is storing any hazardous materials. Mr. Blue said that he will ask the prospective buyer to forward their release agreement to Mr. Blanch to determine if it is sufficient.

Mr. Rieker asked if there has been a final determination on the material size for the plantings requested by the Deer Hollow Homeowners Association. Mr. Glass specified the plantings will be 8-feet but will confirm that the planting plan reflects that change.

There were no audience comments or questions raised.

A motion was made by Vice Chair Shorin and seconded by Mr. O'Hara to recommend that the Board of Supervisors approve the land development application for 1950 Skippack Pike (LD-2-20) subject to compliance to all comments in the Township Staff and Consultants. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Secretary McGowan, aye; Mr. Habboush, aye; Mr. Conway, aye; Mr. O'Hara, aye; Mr. Fay, aye; and Chair Corti also voted to pass this motion. The motion passed 7-0.

3. Review current Zoning Hearing Board cases:

- a. NO. 2271-21 RICHARD A. SUTANTO AND PUIYAN LAM request variances from Article VII, Section 160-34 relating to Side Yards for One Family Detached Dwellings and Article XXVII, Section 160-203 relating to Residential Projections into Side Yards with respect to the residence located on their property at 1566 Muhlenburg Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 20' by 28' first floor addition which will reduce the side yard set-back to 24'9" when the Ordinance requires a minimum of 25 feet and will reduce the aggregate side yard width to 49'9" when the Ordinance requires a minimum of 60 feet.

Chair Corti noted that the Applicant was not present for the meeting.

Vice Chair Shorin recommended the Applicant install landscaping along the perimeter.

There were no audience comments or questions raised.

Chair Corti stated that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- b. NO. 2272-21 JOSEPH AND THERESA DOWD request variances from Article VII, Section 160-32 relating to Front Yards and Article XXIX, Section 160-225.B relating to Extension of Non-Conforming Use with respect to the residence located on their

property at 701 W. Butler Ave., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 3'9" by 18'4 1/2" first floor addition and a 15'8" by 18'4 1/2" second floor addition onto their residence which will decrease the front yard depth to less than 50 feet when the Ordinance prohibits same and will allow the expansion of an existing non-conforming use above the first floor level which exceeds the yard setbacks in the R-2 zoning district when the Ordinance prohibits same.

Chair Corti noted that the Applicant was not present for the meeting.

Vice Chair Shorin recused himself from the discussion for this application.

Chair Corti noted that the application appeared benign.

Audience Comments

Rachel Carp, 31 Foxfield Court – Ms. Carp asked if there was any information regarding the duration of the proposed work as she lives directly behind the residence. Chair Corti said that there is no information regarding a timeline but noted that the work will primarily take place in the front of the property.

Chair Corti stated that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- c. NO. 2273-21 JOHN A. AND TIFFANY L. BATTLES request a variance from Article XII, Section 160-32 relating to Front Yards and a special exception pursuant to Article XII, Section 160-33 relating to Front Yards on Corner with respect to the residence located at 1566 Thayer Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 24' by 28' two car attached garage that will decrease the depth of the front yard to less than 50 feet when the Ordinance permits same only by the grant of a special exception by the Zoning Hearing Board.

Chair Corti noted that the Applicant was not present for the meeting.

Chair Corti said that there may be a need for stormwater management due to the increase in impervious surface.

There were no audience comments or questions raised.

Chair Corti stated that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- d. NO. 2274-21 MOO PROPERTIES, LLC requests an amendment of Whitpain Township Zoning Hearing Board Decision No. 1761-07, section G, with respect to its property located at 1533 Skippack Pike, Blue Bell, PA in the Township's R-1/R-2 Residential District. Applicant's requested relief, if granted, will permit the Applicant to install a driveway through the berm along Whitney Drive which will decrease the continuous visual barrier between the subject property and Whitney Drive that the prior zoning decision obligated Applicant to maintain.

Chair Corti noted that the Applicant was not present for the meeting.

Chair Corti restated the concerns mentioned in the work session:

1. What are the existing uses of Lot 1?
2. Where will the proposed driveway be located? How much of the berm will be affected by the proposed driveway?
3. Is the proposed driveway only for the new lot to be created?

Vice Chair Shorin said that he would like clarification on what the entirety of the project will include prior to seeing the Zoning Hearing Board offer a decision.

Chair Corti shared a letter that was sent to the Planning Commission from residents on Whitney Drive regarding the application.

Mr. Blanch mentioned that the Applicant also submitted a subdivision application to the Township but is on hold while their ZHB application is heard by the Zoning Hearing Board. He noted that neither of the plans submitted included the location of the berm or where it would be removed for the proposed driveway.

Vice Chair Shorin said that if the Zoning Hearing Board were to permit the proposal, the location of the drive should be carefully reviewed so that the neighbor across the street would not have headlights shining directly into their home.

Mr. O'Hara asked if the Zoning Hearing Board grants an approval to the application, what does that allow as far as development. Mr. Blanch explained that the subdivision plan only pertains to the creation of the second lot. According to their submission, it appears that the Applicant is proposing to remove half of the existing structure on the front lot and create a second lot to construct a single-family dwelling. Mr. Blanch said that there is no indication in the zoning application on the location of the driveway that would access the second lot. Mr. Blanch recommended the Applicant amend their application to show the impact of the proposal on the existing berm, access driveway location and how they will buffer the Whitney Drive homeowners as required by the 2007 Zoning Hearing Board decision. Mr. O'Hara asked if they are granted approval, is there a limit on the development of the second lot. Mr. Blanch said it appears that the zoning relief would allow for one single-family dwelling on Lot 1.

Mr. O'Hara asked if there is a reason why the Applicant did not propose use of the existing access off of Skippack Pike for proposed Lot 1. Mr. Blanch suspects that Lot 2 would continue as a commercial use and that they would not want to allow residential access through a business property. Mr. Blanch recommends that question be brought up at the Zoning Hearing Board.

Chair Corti reiterated that the application seems incomplete.

Audience Comments:

Gail Szecker, 835 Whitney Drive – Ms. Szecker questioned why the Applicant needs to cut away the berm considering there are alternative options for access points, including the existing drive on Skippack Pike. Ms. Szecker agreed that the application seems too vague and does not support the proposal.

Len Langsdorf, 855 Whitney Drive – Mr. Langsdorf said that the Property Owner was responsible for maintaining the existing berm, however it has been overgrown and unkempt. Mr. Langsdorf also requested the Applicant provide the location as to where the proposed driveway would cut through the berm.

Chair Corti stated that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

4. Review pertinent planning issues.

Chair Corti asked, regarding the MCPC award submission, who submits the application. Mr. Blanch said that the Township would submit the application and coordinate with the developer. The Planning Commission agreed that *Ave Blue Bell* would be an ideal candidate.

Mr. Blanch reminded the Planning Commission members and audience about the closures along Morris Road within the upcoming month.

There being no further business to come before the Commission, a motion was made by Vice Chair Shorin, and seconded by Mr. Conway to adjourn. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Secretary McGowan, aye; Mr. Habboush, aye; Mr. Conway, aye; Mr. O'Hara, aye; Mr. Fay, aye, and Chair Corti also voted to pass this motion. The motion passed 7-0. The meeting adjourned at 7:45 PM.

Respectfully submitted,

Cathy McGowan, Secretary